

## D.C. BOARD OF EDUCATION

## NOTICE OF FINAL RULEMAKING

The Executive Director of the D.C. Board of Education, pursuant to the authority set forth in D.C. Code, 2001 edition, Section 38-101, hereby gives notice of final rulemaking action taken by the Board at its May 19, 2004 Board meeting to amend Chapter 22 of the Board Rules, Title 5 of the D.C. Municipal Regulations, regarding grades, promotion and graduation. The revision requires the completion of Algebra I as 1 of the 3 Carnegie units in Mathematics required for graduation. The Algebra I requirement will be effective for all students graduating from high school as of 2008. All students graduating from high school before 2008 will be required to complete the requisite number of Carnegie units in Elementary Algebra to satisfy the Mathematics requirements for graduation. The new Mathematics requirement also mandates that all students be enrolled in Algebra I by grade 9 or earlier, if they must take Algebra I to graduate.

The Board approved proposed rulemaking during its February 18, 2004 meeting, and published the proposed rulemaking in the D.C. Register on March 12, 2004. One set of comments was received from the public, was considered and resulted in a non-substantive revision to subsection (e) in the final rulemaking. This rulemaking will become final upon publication of a Notice of Final Rulemaking in the D.C. Register.

Section 2203.1 is amended to read as follows:

**Chapter 22    Grades, Promotion and Graduation****2203            Graduation: Academic Requirements**

2203.1            The following course work shall be required in order to be certified as eligible to receive the high school diploma:

- (a)            A total of twenty-three and one-half (23½) Carnegie units shall have been satisfactorily completed;
- (b)            The following Carnegie units in the corresponding subjects shall be required:

Art	0.5 units;
Career/Vocational Education	1 unit;
DC History-Government	0.5 units;

Electives	4.5 units;
English	4 units;
Foreign Languages	2 units;
Health & Physical Education	1.5 units;
Mathematics (Including Elementary Algebra or its equivalent)	<del>3 units;</del>
Music	0.5 units;
Science (including one year of lab science)	3 units;
U.S. History	1 unit;
U.S. Government	0.5 units;
World History	1 unit; and
World Geography	0.5 units;

- (c) One and one-half (1½) Carnegie units in health and physical education shall not be required for the evening program high school diploma; and
- (d) One hundred (100) hours of community service shall be required for graduation; and
- (e) The Mathematics requirement for graduation is three (3) Carnegie units. For School Years 2003-2004, 2004-2005, 2005-2006 and 2006-2007 completion of Elementary Algebra or its equivalent as a portion of the Mathematics requirement is mandatory. For School Years 2007-2008 and subsequent years, the Mathematics requirement for graduation shall include the requirement to complete one Carnegie unit of Algebra 1 and/or higher level courses as part of the three Carnegie units required for graduation. All students graduating by the end of the 2007-2008 School Year will be required to complete Algebra 1 and must enroll in the course no later than grade 9.

**BOARD OF EDUCATION**

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**NOTICE OF FINAL RULEMAKING**

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The District of Columbia Board of Education ("Board"), pursuant to the authority set forth in D.C. Code, 2001 Edition, Section 38-101 *et seq.*, hereby gives notice of emergency and proposed rulemaking action taken by the Board at its meeting on March 11, 2004. The purpose of this rulemaking is to ensure reasonable vacancy forecasting by the D.C. Public Schools for each upcoming school year. The rulemaking revises the date by which teachers and administrators are required to declare their intent to continue employment.

On March 11, 2004, a notice of emergency and proposed rulemaking was sent to the DC Register (50DCR 10414). The emergency rulemaking took effect following approval by the Board at its meeting of March 11, 2004. This rulemaking will amend section 1021 of DCMR Title 5.

The final rulemaking will take effect upon the publication of a Notice of Final Rulemaking in the D.C. Register. Proposed rulemaking on this subject was published in the D.C. Register on March 26, 2004.

**Section 1021 is revised as follows:****1021. REAPPOINTMENT**

1021.1 Former permanent employees of the Board of Education who separated through voluntary resignation which was accepted without prejudice may be reappointed without an examination if the following conditions are met:

- (a) Application for reappointment is made within five (5) years from the date of resignation;
- (b) Satisfactory performance ratings were received for each of the five (5) years preceding the resignation;
- (c) The applicant satisfies the eligibility requirements for the type of position sought that are in effect at the time of the application for reappointment; and
- (d) The applicant complies with the residency requirements of the Board of Education, as specified in § 1017.

1021.2 Probationary and permanent teachers and administrators who do not intend to continue employment with DCPS the following school year must

submit to the DCPS Office of Human Resources a Declaration of Intent Form no later than ~~May 30~~ April 15.

1021.3 Any probationary or permanent teacher or administrator who fails to submit a Declaration of Intent Form by ~~May 30~~ April 15 of any given school year, and fails to report for duty the following school year, or severs employment prior to the end of the following school year, shall be subject to the following penalties:

(a) Notice to any subsequent employer of violation and sanctions;

~~(b) Designation as ineligible for rehire for one (1) year;~~

(e) (b) No formal release of information upon inquiry for ninety (90) days;  
and

(d) (c) Recoupment of any incentives or bonuses for the school year of violation.

1021.4 Request for waiver of sanctions by the Superintendent must be submitted to the Superintendent or the Superintendent's designee for consideration. The Superintendent shall consider exigent circumstances, including, but not limited to, personal or family illness, relocation of spouse, damage to professional reputation, safety and/or health risks in the workplace, changed circumstances or professional advancement, as grounds for waiver of sanctions.

1021.5 Any Declaration of Intent, which was submitted prior to ~~May 30~~ April 15 may be withdrawn on or before ~~May 30~~ April 15.

1021.6 Notice of imposition of sanctions by the Superintendent shall be provided to the probationary or permanent teacher or administrator at the time of imposition of sanctions. A request for reconsideration by the Superintendent may be submitted within thirty (30) days of receipt of notice of imposition of sanctions.

## DEPARTMENT OF HEALTH

NOTICE OF FINAL RULEMAKING

The Interim Director of the Department of Health, pursuant to the authority set forth under § 302(14) of the D.C. Health Occupations Revision Act of 1985, effective March 15, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1203.02(14)), and Mayor's Order 98-140, dated August 20, 1998, hereby gives notice of adopting the amendments to Title 17 DCMR, chapter 46 § 4611.5. This rule expands the requirements for a postgraduate physician by establishing a monitoring program for postgraduate physicians training in the District. No substantive changes were made to this rule as published with the Notice of Proposed Rulemaking in the D.C. Register on April 9, 2004, at 50 DCR 3730. This rule will become effective upon publication of this notice in the D.C. Register.

**Chapter 46 (Medicine) of Title 17 DCMR (Business, Occupations & Professions)  
(May 1990) is amended as follows:**

**Section 4611.5 is amended to read as follows:**

- 4611.5      A postgraduate physician shall do the following:
- (a) Be enrolled with an institution sponsoring the clinical training program describing the terms and conditions of the postgraduate physician's employment, or participation in the program, which shall be kept on file at the sponsoring institution;
  - (b) Forward or permit the training program to forward a completed Postgraduate Physician Enrollment Form and the required enrollment fee to the Board prior to commencement of training;
  - (c) Inform or permit the training program to notify the Board in writing when the postgraduate physician leaves a clinical training program before the scheduled ending date of the program, specifying the reason for leaving as academic or nonacademic reasons; and
  - (d) Grant the Board access or permit the training program to disclose all postgraduate education records, to the extent the disclosure does not violate any District or Federal laws.

## Office of Tax and Revenue

## NOTICE OF FINAL RULEMAKING

The Office of Tax and Revenue (OTR), pursuant to the authority set forth in the D.C. Official Code § 1-204.24c, as amended by Section 155 of the District of Columbia Appropriations Act 2001, approved November 22, 2000 (114 Stat. 2476; Pub. L. 106-522) and the Office of the Chief Financial Officer, Financial Management and Control Order No. 00-5, effective June 7, 2000, hereby gives notice of the adoption of a final Taxation Regulation.

The final regulation adds a new Section 493 to Chapter 4 of Title 9 of the DC Municipal Regulations (DCMR), to clarify the taxability of bundled communication services.

The proposed version of this rulemaking was published in the February 27, 2004, edition of the DC Register, at 51 DCR 2250. Comments were received concerning the proposed rulemaking, and such comments were given actual and reasonable consideration. This final rulemaking is identical to the initial text of the proposed rulemaking. This final rulemaking, as set forth below, shall become effective upon publication in the DC Register.

The following new Section 493, **SALES PRICE: COMMUNICATION SERVICES**, is added to Chapter 4 of Title 9 DCMR.

**493            SALES PRICE: COMMUNICATION SERVICES**

For purposes of D.C. Official Code § 47-2001(p)(2), the term "sales price" shall not include a charge for a nontaxable service that is made in connection with a sale of a taxable communication service, even if the nontaxable charges are aggregated with and not separately stated from the taxable charges for communication services, if the vendor can reasonably identify charges not subject to tax from its books and records that are kept in the regular course of business.

**494-498       [RESERVED]**

## DISTRICT OF COLUMBIA DEPARTMENT OF TRANSPORTATION

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**NOTICE OF FINAL RULEMAKING**

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DOCKET NUMBER 03-01-TS

The Director of the Department of Transportation, pursuant to the authority in sections 3, 5(3), and 6 of the Department of Transportation Establishment Act of 2002, effective May 21, 2002 (D.C. Law 14-137; D.C. Official Code §§ 50-921.02, 50-921.04(3) and 50-921.05), and sections 6(a)(1), 6(a)(6) and 6(b) of the District of Columbia Traffic Act, approved March 3, 1925 (43 Stat. 1121; D.C. Official Code § 50-2201.03(a)(1), (a)(6) and (b)), hereby gives notice of the adoption of the following rulemaking which amends the Vehicle and Traffic Regulations (18 DCMR). Final action to adopt this rulemaking was taken on May 25, 2004. No comments have been received and no changes have been made to the text of the proposal as published on April 23, 2004 at 51 DCR 4102. This final rulemaking will be effective when published in the D.C. Register.

Title 18 DCMR, Section 4015, "NO LEFT TURN ANYTIME", Restriction Subsection 4015.1, (a) Northwest Section, is amended by adding the following from the list of locations:

"Southbound 19<sup>th</sup> Street, N.W., so as to proceed southeast-bound on Virginia Avenue".

## DISTRICT OF COLUMBIA DEPARTMENT OF TRANSPORTATION

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**NOTICE OF FINAL RULEMAKING**

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DOCKET NUMBER 03-83-TS

The Director of the Department of Transportation, pursuant to the authority in sections 3, 5(3), and 6 of the Department of Transportation Establishment Act of 2002, effective May 21, 2002 (D.C. Law 14-137; D.C. Official Code §§ 50-921.02, 50-921.04(3) and 50-921.05), and sections 6(a)(1), 6(a)(6) and 6(b) of the District of Columbia Traffic Act, approved March 3, 1925 (43 Stat. 1121; D.C. Official Code § 50-2201.03(a)(1), (a)(6) and (b)), hereby gives notice of the adoption of the following rulemaking which amends the Vehicle and Traffic Regulations (18 DCMR). Final action to adopt this rulemaking was taken on May 25, 2004. No comments have been received and no changes have been made to the text of the proposal as published on April 16, 2004 at 51 DCR 3884. This final rulemaking will be effective when published in the D.C. Register.

Title18 DCMR, Section 4004, "ONE-WAY STREETS", Subsection 4004.1, (d) Southeast Section, is amended by adding the following to the list of locations where traffic is restricted to one direction of travel:

"Stanton Road, S.E., between Trenton Place and Mississippi Avenue, northbound traffic only".

Title18 DCMR, Section 4008, "STOP SIGNS", Subsection 4008.1, (d) Southeast Section, is amended by deleting the following from the list of locations where the Director has authorized the placement of STOP signs:

"On Stanton Road, S.E., so as to stop at Mississippi Avenue".



## DISTRICT OF COLUMBIA DEPARTMENT OF TRANSPORTATION

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NOTICE OF FINAL RULEMAKING

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DOCKET NUMBER 03-90-TS

The Director of the Department of Transportation, pursuant to the authority in sections 3, 5(3), and 6 of the Department of Transportation Establishment Act of 2002, effective May 21, 2002 (D.C. Law 14-137; D.C. Official Code §§ 50-921.02, 50-921.04(3) and 50-921.05), and sections 6(a)(1), 6(a)(6) and 6(b) of the District of Columbia Traffic Act, approved March 3, 1925 (43 Stat. 1121; D.C. Official Code § 50-2201.03(a)(1), (a)(6) and (b)), hereby gives notice of the adoption of the following rulemaking which amends the Vehicle and Traffic Regulations (18 DCMR). Final action to adopt this rulemaking was taken on May 25, 2004. No comments have been received and no changes have been made to the text of the proposal as published on April 16, 2004 at 51 DCR 3953. This final rulemaking will be effective when published in the D.C. Register.

Title 18 DCMR, Section 4015, "NO LEFT TURN", RESTRICTIONS Subsection 4015.1, (c) Southwest Section, is amended by deleting the following from the list of locations where no vehicle shall make a left turn at any time:

"Eastbound Independence Avenue, S.W., so as to proceed northbound on 3<sup>rd</sup> Street";

Title 18 DCMR, Section 4015, "NO LEFT TURN" RESTRICTIONS, Subsection 4015.9, (c) Southwest Section, is amended by adding the following to the list of locations where no vehicle shall make a left turn any time, EXCEPT BUSES:

"Eastbound Independence Avenue, S.W., so as to proceed northbound on 3<sup>rd</sup> Street".

## DISTRICT OF COLUMBIA DEPARTMENT OF TRANSPORTATION

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NOTICE OF FINAL RULEMAKING

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DOCKET NUMBER 04-03-TS

The Director of the Department of Transportation, pursuant to the authority in sections 3, 5(3), and 6 of the Department of Transportation Establishment Act of 2002, effective May 21, 2002 (D.C. Law 14-137; D.C. Official Code §§ 50-921.02, 50-921.04(3) and 50-921.05), and sections 6(a)(1), 6(a)(6) and 6(b) of the District of Columbia Traffic Act, approved March 3, 1925 (43 Stat. 1121; D.C. Official Code § 50-2201.03(a)(1), (a)(6) and (b)), hereby gives notice of the adoption of the following rulemaking which amends the Vehicle and Traffic Regulations (18 DCMR). Final action to adopt this rulemaking was taken on May 25, 2004. No comments have been received and no changes have been made to the text of the proposal as published on April 23, 2004 at 51 DCR 4103. This final rulemaking will be effective when published in the D.C. Register.

Title 18 DCMR, Section 4004, "ONE-WAY STREETS", Subsection 4004.1, (a) Northwest Section, is amended by adding the following to the list of locations where traffic is restricted to one direction of travel:

"Varnum Street, N.W., between Rock Creek Church Road and 2<sup>nd</sup> Street, westbound traffic only".

Title 18 DCMR, Section 4008, STOP SIGNS, Subsection 4008.1, (a) Northwest Section, is Amended by deleting the following from the list of locations where the Director has authorized the placement of STOP signs:

"Varnum Street, N.W., so as to stop at Rock Creek Church Road".

## DISTRICT OF COLUMBIA DEPARTMENT OF TRANSPORTATION

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NOTICE OF FINAL RULEMAKING

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DOCKET NUMBER 04-07-TS

The Director of the Department of Transportation, pursuant to the authority in sections 3, 5(3), and 6 of the Department of Transportation Establishment Act of 2002, effective May 21, 2002 (D.C. Law 14-137; D.C. Official Code §§ 50-921.02, 50-921.04(3) and 50-921.05), and sections 6(a)(1), 6(a)(6) and 6(b) of the District of Columbia Traffic Act, approved March 3, 1925 (43 Stat. 1121; D.C. Official Code § 50-2201.03(a)(1), (a)(6) and (b)), hereby gives notice of the adoption of the following rulemaking which amends the Vehicle and Traffic Regulations (18 DCMR). Final action to adopt this rulemaking was taken on May 25, 2004. No comments have been received and no changes have been made to the text of the proposal as published on April 23, 2004 at 51 DCR 4104. This final rulemaking will be effective when published in the D.C. Register.

Title 18 DCMR, Section 4015, "NO LEFT TURN ANYTIME" Restriction, Subsection 4015.1, (a) Northwest Section, is amended by adding the following to the list of locations:

"Eastbound Reservoir Road, N.W., so as to proceed northbound on 38<sup>th</sup> Street, 7-9:30 AM, MONDAY THROUGH FRIDAY, EXCEPT SCHOOL BUSES".

"Eastbound Reservoir Road, N.W., so as to proceed northbound on 39<sup>th</sup> Street, 7-9:30 AM, MONDAY THROUGH FRIDAY, EXCEPT SCHOOL BUSES".

## DISTRICT OF COLUMBIA DEPARTMENT OF TRANSPORTATION

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NOTICE OF FINAL RULEMAKING

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DOCKET NUMBER 04-09-TS

The Director of the Department of Transportation, pursuant to the authority in sections 3, 5(3), and 6 of the Department of Transportation Establishment Act of 2002, effective May 21, 2002 (D.C. Law 14-137; D.C. Official Code §§ 50-921.02, 50-921.04(3) and 50-921.05), and sections 6(a)(1), 6(a)(6) and 6(b) of the District of Columbia Traffic Act, approved March 3, 1925 (43 Stat. 1121; D.C. Official Code § 50-2201.03(a)(1), (a)(6) and (b)), hereby gives notice of the adoption of the following rulemaking which amends the Vehicle and Traffic Regulations (18 DCMR). Final action to adopt this rulemaking was taken on May 25, 2004. No comments have been received and no changes have been made to the text of the proposal as published on April 23, 2004 at 51 DCR 4105. This final rulemaking will be effective when published in the D.C. Register.

Title 18 DCMR, Section 4015, "NO LEFT TURN ANYTIME" Restriction, Subsection 4015.11, (a) Northwest Section, is amended by adding the following to the list of locations where trucks and buses are restricted from making left turns at all times:

"Westbound M Street, N.W., so as to proceed southbound on 26<sup>th</sup> Street".